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SERVICE DATE - AUGUST 25, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 189X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—  
IN EAU CLAIRE COUNTY, WI

Decided: August 20, 2003

By decision and notice of interim trail use or abandonment (NITU) served on August 30, 2002, a 180-day period was authorized for the Wisconsin Department of Transportation (WisDOT), on behalf of the City of Eau Claire, WI (CECW), to negotiate an interim trail use rail/banking agreement with Union Pacific Railroad Company (UP) for a 1.65-mile line of railroad known as the Eau Claire Industrial Lead, extending between milepost 0.00 near N. Barstow Street and milepost 1.65 south of Truax Boulevard, in Eau Claire, Eau Claire County, WI. The negotiating period under the NITU was scheduled to expire on February 26, 2003, but was extended to August 25, 2003, by decision served April 10, 2003.

On August 15, 2003, WisDOT, on behalf of CECW, requested an additional 180-day extension of the negotiating period. UP states that it has no objection to the request.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended. Under the circumstances, an extension of the negotiating period is warranted and will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d).<sup>1</sup> Accordingly, the NITU negotiating period will be extended to February 21, 2004.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended until February 21, 2004.

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<sup>1</sup> See Rail Abandonment—Supplemental Trails Act Procedures, 4 I.C.C.2d 152, 157-58 (1987).

2. This decision is effective on the date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary